

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GENESIS HILL,

Petitioner,

v.

BETTY MITCHELL, Warden,

Respondent.

Case No. 1:98-cv-452

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Terence P. Kemp

OPINION AND ORDER


Petitioner, a prisoner sentenced to death by the State of Ohio, has pending before this Court a habeas corpus action pursuant to 28 U.S.C. §2254. This matter is before the Court upon Petitioner's motion for withdrawal and substitution of counsel. (Doc. # 175.)

The docket in this case reflects that Petitioner is presently represented by lead counsel James B. Hadden and Davis S. Bloomfield of Porter, Wright, Morris & Arthur; co-counsel Lawrence B. Hughes and J. Kenneth Thien of Porter, Wright, Morris & Arthur; and co-counsel Ohio Public Defender David Bodiker. Noting that Mr. Bodiker is now deceased and following discussions between representatives of the Ohio Public Defender's Office and the Federal Public Defender's Office, Petitioner seeks through the instant motion an order appointing Assistant Federal Public Defenders Carol Wright and Justin Thompson to represent Petitioner in this matter and designating them as lead counsel, removing the Ohio Public Defender's Office as counsel for Petitioner, and designating Messrs. Hadden, Bloomfield, Hughes, and Thien as co-counsel for Petitioner. (Doc. # 175, at 1-2.) The motion states that good cause, as defined by S.D. Ohio Loc. R. 83.4(c)(1), exists to permit the requested withdrawal and substitution.

For good cause shown, the Court **GRANTS** Petitioner's motion (Doc. # 175) and

HEREBY APPOINTS as counsel for Petitioner the Federal Public Defender for the Southern District of Ohio, Steven S. Nolder, 10 W. Broad Street, Suite 1020, Columbus, Ohio, 43215, 614-469-2999. The Court **FURTHER DIRECTS** the Clerk to **SUBSTITUTE** Mr. Nolder as counsel for Petitioner with the understanding that Assistant Federal Public Defenders Carol Wright and Justin Thompson serve as lead counsel. The Court **FURTHER DIRECTS** the Clerk to designated attorneys James B. Hadden, David S. Bloomfield, Lawrence Bradfield Hughs, and J. Kenneth Thien as co-counsel for Petitioner in this matter. Finally, the Court **FURTHER DIRECTS** the Clerk to terminate the Ohio Public Defender's Office as counsel for Petitioner in this matter.

IT IS SO ORDERED.

 6-1-2009

EDMUND A. SARGUS, JR.
United States District Judge